

1426

2011-2012 Regular Sessions

I N S E N A T E

January 7, 2011

Introduced by Sen. SALAND -- read twice and ordered printed, and when printed to be committed to the Committee on Labor

AN ACT to amend the labor law, in relation to conditions for the disqualification for unemployment benefits of persons formerly employed by temporary employment services

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 593 of the labor law is amended by adding a new
2 subdivision 6 to read as follows:
3 6. (A) FOR THE PURPOSES OF THIS SECTION, "TEMPORARY EMPLOYMENT
4 SERVICE" MEANS A FIRM THAT EMPLOYS EMPLOYEES AND ASSIGNS SUCH EMPLOYEES
5 TO CLIENTS TO SUPPORT OR SUPPLEMENT THE WORK FORCE OF SUCH CLIENTS IN
6 WORK SITUATIONS SUCH AS EMPLOYEE ABSENCES, TEMPORARY SKILLS SHORTAGES,
7 SEASONAL WORKLOADS, AND SPECIAL ASSIGNMENTS AND PROJECTS. "TEMPORARY
8 EMPLOYEE" MEANS AN EMPLOYEE ASSIGNED TO WORK FOR THE CLIENTS OF A TEMPO-
9 RARY EMPLOYMENT SERVICE.
10 (B) (I) AN EMPLOYEE OF A TEMPORARY EMPLOYMENT SERVICE SHALL BE DEEMED
11 TO HAVE VOLUNTARILY SEPARATED FROM EMPLOYMENT IF SUCH EMPLOYEE DOES NOT
12 CONTACT THE TEMPORARY EMPLOYMENT SERVICE FOR REASSIGNMENT WITHIN FIVE
13 BUSINESS DAYS OF THE COMPLETION OF AN ASSIGNMENT. SUCH CONTACT SHALL BE
14 MADE BY PERSONAL APPEARANCE OR BY TELEPHONE OR ELECTRONIC FACSIMILE;
15 PROVIDED THAT SUCH CONTACT CAN BE VERIFIED.
16 (II) FAILURE TO CONTACT THE TEMPORARY EMPLOYMENT SERVICE SHALL NOT BE
17 DEEMED A VOLUNTARY SEPARATION FROM EMPLOYMENT UNLESS THE CLAIMANT HAS
18 BEEN ADVISED OF THE OBLIGATION TO CONTACT SUCH SERVICE UPON COMPLETION
19 OF ASSIGNMENTS AND THAT UNEMPLOYMENT BENEFITS MAY BE DENIED FOR FAILURE
20 TO DO SO.
21 S 2. This act shall take effect on the ninetieth day after it shall
22 have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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